

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

In this Amendment, claims 1-3 have been amended to more clearly define the claimed invention. Claims 1-6 remain pending in the application.

Figs. 2, 3a and 3b are objected to based upon the informalities mentioned in the Official Action. Specifically, the figures have labels that are handwritten. Replacement Figures are submitted herewith and accordingly, withdrawal of the objection to the drawings is respectfully requested.

As to the IDS, the French patent No. 0311320 mentioned in the prior art corresponds to the US patent application US 2007/0031007. Further, the articles by Horng and Gunilla Borgfors requested by the Examiner are being submitted herewith.

In view of claim 1 being amended to correct the informalities/typographical errors noted in the Official Action and hence the objection to claim 1 is believed overcome.

Further Examiner's objection to the disclosure is noted. The Examiner's attention is respectfully directed to the Preliminary Amendment filed on September 19, 2006 in which a substitute specification was submitted. The substitute specification included the headings mentioned by the Examiner in the instant Official Action.

Further, claims 1-6 are rejected under 35 USC §103(a) as being unpatentable over Lippitt (U.S. Patent No. 5,504,686). In response, claim 1 has been amended and is believed to be patentable over Lippitt (U.S. Patent No. 5,504,686) for the reasons discussed below.

As to amended claim 1, the method is for locating points, on a topological map, that are difficult to access from a reference point. This method is based on an analysis of estimated curvilinear distances separating the points of the topological map, from the reference point. More precisely, the points of the topological map that are difficult to access from the reference map are assimilated to points having discrepancies in their estimated curvilinear distances from the reference point compared to the estimated

distances of points in their neighbourhood, from the reference point.

The "difficult of access" points are points which exhibit a marked rise in the land versus neighbouring points and require a roundabout access path from the reference point. "Difficult of access" points are only a part of the "slopes" points of a topological map. For example, for an aircraft, only the "slopes" points of the zone overflowed by an airplane being higher than the vertical flight profile of the aircraft are "difficult of access" points.

Lippitt (U.S. Patent No. 5,504,686) describes a method of routing covert flight paths using a cost surface mixing a hideability map and a flyability map. To build a hideability map, Lippitt makes a line of sight area calculation for each point of the map. Further, to build the flyability map Lippitt assigns a scalar value indicative of the roughness for each point of a digital terrain elevation data base (DTED). This scalar value is a summation of eight values indicative of slope from the point and each of its eight neighboring points (col. 4, lines 12-21).

As mentioned above, the scalar value of roughness used by Lippitt for each point of the flyability map is obtained by a calculation on slopes relatively to neighboring points, that is to say, on comparisons between the elevation of the considered point and the elevations of its neighboring points. For a considered point of the map, this scalar value takes into account discrepancies between the vertical distance separating the considered point from an horizontal reference plan and the vertical distances separating its neighboring points from that horizontal reference plan. These discrepancies do not give the same information on the points of a topological plan than a comparison between the discrepancies of the curvilinear distances and the Euclidean distances separating a considered point from its neighboring points because the curvilinear distances take into account other parameters than elevations of the points of the map.

At least for the above reasons, a person having ordinary skill in the art would not have been motivated to modify the teachings of Lippitt as stated by the Examiner to arrive at the claimed invention. Therefore, withdrawal of the rejection of claim 1 is respectfully requested.

Further, claims 2-6 are dependent on amended independent claim 1 and hence are believed patentable over the applied art of record at least for the reasons advanced above with respect to amended claim 1.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP



Kenneth M. Berner
Registration No. 37,093

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
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KMB/SOM/cac